

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

A.D.R.S., a minor,

Petitioners/Plaintiffs,

v.

Civil Action No.

HEIDI STIRRUP, in his official
capacity as Director of the Office of
Refugee Resettlement, KENNETH
TOTA, in his official capacity as Deputy
Director of the Office of Refugee
Resettlement, LYNN JOHNSON, in her
official capacity as Assistant Secretary
for the Administration of Children and
Families, ALEX AZAR, in his official
capacity as Secretary of the Department
of Health and Human Services,
JANE DOE, in his/her official capacity as
Federal Field Specialist, Office of
Refugee Resettlement,

*Respondents/Defendants.
each sued in his/her official
capacity.*

EX PARTE TEMPORARY RESTRAINING ORDER

Upon a reading of the draft petition, and sufficient cause appearing therefore, it is hereby ORDERED, the Respondents shall show cause, on May 22, 2020, at 10:00 AM, or as soon thereafter as counsel may be heard, before a judge to whom this case will be assigned upon the filing of a petition formally commencing this action with the Clerk of Court, why an order should not be entered preliminarily enjoining them from removing Petitioner from the United States of America or from relocating her from the Southern District of New York pendente lite; and it is further

ORDERED, that Respondents shall be served with a copy of the Petition by email, delivered to each of them at their office address no later than 5 PM on Tuesday, May 12, 2020, with a copy to Jeffrey Osterreicher, Esq., Assistant United States Attorney and Chief of the Civil Division of the United States Attorney's Office for the Southern District of New York, delivered at his email address, Jeffrey.Oesterreicher@usdoj.gov, also by 5 PM on Tuesday, May 12, 2020; and it is further

ORDERED, that responsive papers shall be served on counsel and filed with the court, on ECF and with courtesy copies emailed to the assigned judge, no later than 5 PM on Tuesday, May 19, 2020; and it is further

ORDERED, that reply papers, if any, shall be served in the same manner as aforesaid no later than 12:00 noon on Thursday, May 21, 2020; and sufficient cause appearing therefor

IT IS HEREBY ORDERED that respondents/defendants in this action (along with all officers, agents, servants, employees, or attorneys of any of them), along with all other officers of the United States involved or to be involved in any manner with the actual or potential relocation of the Petitioner from this District, along with all other persons and entities who are or

may be in active concert with any of them are hereby strictly and temporarily restrained and enjoined from taking any action, or permitting any action to be taken, that would cause the removal of Petitioner A.D.R.S. (A# 213-445-926) from this District, or that would cause her to be housed pending a hearing and decision on the motion for preliminary injunction in any place other than Abbott House, located at 100 N. Broadway, Irvington, NY, located in this judicial district; and it if further

ORDERD that said Petitioner shall remain at Abbott House and within this judicial district for the duration of this temporary restraining order (which shall expire, per Fed. R. Civ. P. 65, on Tuesday, May 26, 2020 -- Monday, May 25 being Memorial Day, a federal holiday -- unless further extended by the presiding judge), unless otherwise ordered by the court; and it is further

ORDERED that security in the amount of fifty (\$50) dollars shall be sufficient to secure this Temporary Restraining Order, and shall be posted with the Clerk of Court no later than 5 PM on Wednesday, May 13, 2020.

Entered at Bronxville, Westchester County, New York this eleventh day of May, 2020, at 11:47 PM.

A handwritten signature in black ink, appearing to read 'Colleen McMahon', with a long horizontal flourish extending to the right.

Colleen McMahon

Chief Judge (sitting in Part I)